

House File 2228 - Introduced

HOUSE FILE 2228

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 526)

A BILL FOR

1 An Act relating to requirements for a motor vehicle operator to
2 have control of the vehicle at all times and to reduce speed
3 in specific situations.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.285, subsection 2, paragraph a,
2 unnumbered paragraph 1, Code 2011, is amended to read as
3 follows:

4 Unless otherwise provided by this section, or except as
5 posted pursuant to sections 262.68, 321.236, subsection 5,
6 section 321.288, subsection 6 2, paragraph "f", sections
7 321.289, 321.290, 321.293, 321.295, and 461A.36, the following
8 shall be the lawful speed and any speed in excess thereof shall
9 be unlawful:

10 Sec. 2. Section 321.288, Code 2011, is amended to read as
11 follows:

12 **321.288 Control of vehicle — reduced speed.**

13 1. A person operating a motor vehicle shall have the vehicle
14 under control at all times ~~and~~.

15 2. A person operating a motor vehicle shall reduce the speed
16 to a reasonable and proper rate:

17 ~~1-~~ a. When approaching and passing a person walking in the
18 traveled portion of the public highway.

19 ~~2-~~ b. When approaching and passing an animal which is being
20 led, ridden, or driven upon a public highway.

21 ~~3-~~ c. When approaching and traversing a crossing or
22 intersection of public highways, or a ~~bridge,~~ sharp turn,
23 curve, or steep descent, in a public highway.

24 ~~4-~~ d. When approaching and passing an emergency warning
25 device displayed in accordance with rules adopted under section
26 321.449, or an emergency vehicle displaying a revolving or
27 flashing light.

28 ~~5-~~ e. When approaching and passing a slow moving vehicle
29 displaying a reflective device or alternative reflective device
30 as provided by section 321.383.

31 ~~6-~~ f. When approaching and passing through a ~~sign-posted~~
32 road work zone ~~upon the public highway~~.

33

EXPLANATION

34 Currently, language in Code section 321.288 requires that
35 a person operating a motor vehicle "have the vehicle under

1 control at all times", and in the same sentence, the language
2 goes on to require the operator to "reduce the speed to a
3 reasonable and proper rate" and to list the situations in which
4 the requirement applies. This bill amends that language by
5 separately stating the requirement to have the vehicle under
6 control at all times and the requirement to reduce speed to a
7 reasonable and proper rate under specified circumstances.

8 The current requirement to reduce speed to a reasonable
9 and proper rate when approaching and traversing a bridge
10 is stricken from Code section 321.288. Requirements for
11 controlling a vehicle's speed when driving on a bridge are
12 addressed with more specificity in Code section 321.295.
13 The requirement to reduce speed to a reasonable and proper
14 rate when approaching and passing through a road work zone
15 is revised to conform to the definition of "road work zone"
16 contained in chapter 321. The bill contains a conforming
17 amendment to Code section 321.285.

18 The existing penalty for a violation of Code section
19 321.288 is not changed by the bill. A violation is a simple
20 misdemeanor, punishable by a scheduled fine of \$100.